

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 18, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LISA MARIE N.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 2:20-CV-253-RMP

ORDER OF DISMISSAL WITHOUT
PREJUDICE

BEFORE THE COURT is a Report and Recommendation, ECF No. 6, from United States Magistrate Judge John T. Rodgers recommending that Plaintiff's Complaint seeking judicial review of the Commissioner of Social Security's decision be dismissed without prejudice and that Plaintiff be required to provide notice of the dismissal to any Defendants she served with a copy of the Complaint and Summons.

On July 20, 2020, Judge Rodgers denied with leave to renew Plaintiff's application for in forma pauperis status in this matter on the basis that Plaintiff had

1 not provided information regarding how Plaintiff provides for basic needs such as
2 food and utilities. ECF No. 5. Judge Rodgers' Order directed Plaintiff to render the
3 full filing fee or submit a properly completed Application to Proceed In Forma
4 Pauperis. Plaintiff did neither. Judge Rodgers then issued his Report and
5 Recommendation for dismissal on August 20, 2020. ECF No. 6. Plaintiff did not
6 timely object to the Report and Recommendation, nor pay the filing fee, nor file a
7 completed Application to Proceed In Forma Pauperis.

8 After reviewing the Report and Recommendation and relevant authorities,
9 the Court finds that the Magistrate Judge's findings are correct. However, the
10 Court declines to incorporate Judge Rodgers' recommendation that Plaintiff notify
11 Defendants of the dismissal because the United States Attorney's Office will
12 receive notification of the dismissal at the contact information entered on the
13 docket in this matter. Therefore, the Court adopts the Report and
14 Recommendation in part and **HEREBY ORDERS:**

15 1. The Report and Recommendation, **ECF No. 6**, is **ADOPTED IN**
16 **PART** as outlined above.

17 2. The Complaint in this matter is **dismissed without prejudice** for
18 failure to timely pay the filing fee or submit a completed Application to Proceed In
19 Forma Pauperis.

